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10 *Sofamor Danek USA, Inc., and Medtronic*  
11 *Vertelink, Inc.*

12 UNITED STATES DISTRICT COURT  
13  
14 FOR THE DISTRICT OF NEVADA

15 BRETT SCOVIL,

16 Plaintiff,

17 vs.

18 MEDTRONIC, INC., MEDTRONIC  
19 SOFAMOR DANEK USA, INC., and  
MEDTRONIC VERTELINK, INC.,

20 Defendants.

Case No. 2:14-cv-00213-APG-VCF

**JOINT STATUS REPORT AND  
STIPULATION TO STAY PROCEEDINGS;  
~~PROPOSED~~ ORDER**

Assigned to Honorable Andrew P. Gordon  
Referred to Magistrate Judge Cam  
Ferenbach

Compl. Filed: October 15, 2013  
Am. Compl. Filed: April 2, 2014

23  
24 Plaintiff Brett Scovil ("Plaintiff") and Defendants Medtronic, Inc., Medtronic Sofamor Danek  
25 USA, Inc., and Medtronic Verterlink, Inc. (collectively, "Medtronic"), by and through their counsel  
26 of record, submit this Joint Status Report and Stipulation to Stay Proceedings. For reasons explained  
27 in more detail below, they stipulate and respectfully request that the Court stay the proceedings in

28 JOINT STATUS REPORT AND STIPULATION TO STAY PROCEEDINGS; [PROPOSED]  
ORDER 6934409\_1

1 this action, including the pending discovery deadlines, for six months to allow the parties to finalize  
2 the settlement of this action.

3 Plaintiff and Medtronic have executed a written settlement agreement. The settlement  
4 agreement is a global one, which involves Plaintiff here and numerous other plaintiffs with Infuse®  
5 personal injury cases throughout the United States. The settlement process will involve the  
6 submission of hundreds of plaintiffs' claims to a third party mediator to determine their settlement  
7 value. This process will require: (1) plaintiffs to provide the mediator with volumes of medical  
8 records and other evidence relevant to plaintiffs' claims; (2) the mediator to provide a preliminary  
9 settlement value; (3) negotiations of liens/subrogation interests; and (4) possible appeals of the  
10 settlement value assignments. This process may take up to six months to complete.

11 Accordingly, in order to prevent the unnecessary expenditure of the Court's and the parties'  
12 time and resources, the parties respectfully request that the Court grant a stay until at least May 13,  
13 2016, to allow the parties to finalize the settlement. If at any time the parties agree that this case  
14 should be dismissed prior to May 13, 2016, the parties will notify this Court by filing a Request for  
15 Dismissal.

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1 Should this case not be dismissed by May 13, 2016, the parties respectfully request the  
2 opportunity to submit a further status report showing good cause for an additional stay.

3 DATED this 11th day of November, 2015.

4 **HAMILTON LAW LLC**

5 By /s/ Ryan A. Hamilton  
6 Ryan A. Hamilton  
7 Attorneys for Plaintiff

8 **LEWIS ROCA ROTHGERBER LLP**

9 By /s/ J. Christopher Jorgensen  
10 J. Christopher Jorgensen  
11 Attorneys for Defendants Medtronic,  
12 Inc., Medtronic Sofamor Danek USA,  
13 Inc., and Medtronic Vertelink, Inc.

12 **REED SMITH LLP**

13 By /s/ Michael K. Brown (Admitted Pro Hac Vice)  
14 Michael K. Brown  
15 Attorneys for Defendants Medtronic, Inc.,  
16 Medtronic Sofamor Danek USA, Inc., and  
17 Medtronic Vertelink, Inc.

18 **IT IS SO ORDERED:**

19 

20 ~~Andrew P. Gordon~~ Cam Ferenbach  
21 United States ~~District Judge~~ Magistrate Judge

22 DATED: \_\_\_\_\_

23 November 13, 2015